THE PRINCIPAL

ACTS

OF THE

General Assembly,

OF THE

CHURCH

OF

SCOTLAND;

Convened at *Edinburgh* the 8th of *April* 1707.

Collected and Extracted from the Records, by the Clerk thereof.

EDINBURGH,
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THE PRINCIPAL ACTS OF THE General Assembly, OF THE CHURCH OF SCOTLAND;

Holden and begun at *Edinburgh*, upon *Tuesday* the 8th Day of *April* 1707 Years, And ending the 21 of that same Moneth and Year.

1.

The Queens Commission to David *Earl of* Glasgow, *produced and ordered to be Recorded.*

At *Edinburgh* 8th *April* 1707. Sess. 1.

THE General Assembly of the Ministers and Ruling Elders of this National Church, being Conveened and Constitute, There was produced to them by the Right Honourable *David* Earl of *Glasgow*, Her Majesties Commission under the great Seal of this Kingdom, appointing him Her Majestie's High Commissioner, and Representative in this National Assembly, which Commission being publickly Read with all due Honour and Respect; The General Assembly Ordained the same to be Recorded in their Registers, *The Tenor whereof follows.*

" ANNA Dei Gratia, Magnæ *Britanniæ Franciæ* &
" *Hiberniæ* Regina Fideique, Defensor, *Omnibus* Pro-
" bis Hominibus; ad quos præsentes *Literæ* Nostræ perve-
" rint, Salutem, *Quandoquidem* ex Decreto Nostro, Generalis
" Ecclesiæ Conventus Antiqui Regni Nostri *Scotiæ*, in octa-
" vum diem Mensis *Aprilis* proxime futuri convenire ordina-
" tur: Nosque autem abunde cupidæ, quin etiam necessarium
" esse Judicantes in Commodum dictæ Ecclesiæ ut idem Ge-
" neralis Ecclesiæ Conventus die statuto debite observetur;
" Sed Rebus magni momenti nos alio vocantibus, dicto Con-
" ventui interesse nequimus; Et per multa Testimonia nobis
" abunde satisfactum sit de Fidelitate & Sufficientia Fidelissi-
" mi & Dilectissimi Nostri Consanguinei & Consiliarii *Davi-*
" *dis* Comitis de *Glasgow*, Nostri Thesaurarii Deputati di-
" cti Regni Nostri, Quod ad munera summi Officii infra
" specificati, rite exercenda & obeunda usquequaque sit in-
" structus & idoneus. Noveritis igitur, nos Nominasse, &
" Constituisse, sicuti, nos tenore præsentium Nominamus &
" Constituimus eundem *Davidem* Comitem de *Glasgow* su-
" premum nostrum *Commissionarium* quoad effectum infra
" expressum, *Damus* pariter & Concedimus illi plenissimam
" nostram *Potestatem* Commissionem & Warrantum, no-
" stram Personam & Authoritatem nostram Regalem repre-
" sentandi, Præsentiam nostram Supplendi, Locumque nos-
" strum in dicto subsequenti Generali Conventu, tanquam
" Commissionario nostro in hunc Effectum specialiter consti-
" tuto, Tenendi; Omniaque alia ad Imperium & Munus
" Commissionarii pro Generali Ecclesiæ Conventu peragen-
" di, tam plene adeoque libere in quovis respectu, quam
" quilibet alius ejusdem summi Muneris fecerat, seu quovis
" tempore retroacto facere potuerat, atque Nos Ipsæ perso-
" naliter præsentes facere poterimus, *Quæ quidem* omnia &
" singula a dicto *Davide* Comite de *Glasgow* in hac nostra
" Commissione prosequenda, legitime facienda nos firmiter
" Approbamus, *Rata* habemus & habituræ sumus; *Omnibus*
" & singulis insuper antedicti Conventus & Ecclesiæ *Pastori-*
" bus & *Presbyteris*, cæterisque, quibuscunque hujus Regi-
" ni nostri Subditis, cujuscunque Ordinis seu Qualitatis, ut
" dictum *Davidem* Comitem de *Glasgow*, tanquam supre-
" mum nostrum Commissionarium quoad effectum & mo-
" dum supra mentionatum agnoscant, *Revereantur* & dicto
" ipsius audientes se præbeant, stricte Mandamus & Impera-
" mus: *Et denique* hanc nostram Commissionem a die quo
" magnum Sigillum hujus Regni nostri præsentibns est ap-
" pensum, ac denique hac sequenti Sessione dicti Generalis
" Conventus in vigore continuare declaramus, & usque dum
" a nobis revocabitur & exonerabitur. *In cujus rei Testimo-*
" *nium* præsentibus magnum Sigillum nostrum appendi man-

" davi-

"davimus, Apud Aulam noſtram de *Kenſington*, quinto "die Menſis *Martii*, Anno Domini Milleſimo Septingente-"ſimo Septimo, & Anno Regni noſtri, Quinto.

Per Signaturam, Manus S. D. N. Regina ſupra ſcriptam.

Locus Magni Sigilli Appenſi

IN DORSO

Written to the Great Seal, and Regiſtrate the 7th day of April 1707 *years*, Charles Ker.

Sealed at Edinburgh *the 7th day of* April 1707 *years.* Archbald Ogilbie

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[11]

Her Majeſties Gracious Letter

TO THE

GENERAL ASSEMBLY.

Eadem Seſſione.

HER Majeſties High Commiſſioner, preſented the Queens moſt Gracious *Letter*, directed to this General Aſſembly, which was publickly Read, with all due Honour and Reſpect, and is appointed to be Recorded in the Regiſters of this Aſſembly. The Tenor whereof follows.

ANNE R.

RIGHT Reverend and Well beloved, we greet you well; Your prudent and calm *Management* in former Aſſemblies, gives us full Confidence that you will continue touſe the ſame *Moderation*, good Conduct and Unanimity in your Proceedings in this; And we doubt not but the particular care we have taken that the *Doctrine*, Worſhip *Diſcipline* and Government of your Church, ſhould have as firm a Security as humane Laws can eſtabliſh, ſhall have all ſuitable Returns of Duty and Thankfulneſs from you. We take this Opportunity of renewing to you our Aſſurances that you ſhall have our Protection in the free Enjoyment of all the Rights and *Priviledges* that by Law you are poſſeſſed of; And you may alſo be firmly perſwaded that you ſhall always have our chearful Concurrence in promoting true Piety and Religion, diſcouraging Profaneneſs and Immorality and preventing the grouth of *Popery*. And for theſe ends we recommend to you to fall upon effectual *Methods* for planting of vacant Churches with pious and Learned *Miniſters*. We have appointed our Right Truſty and Well-beloved Couſin and Counſellour *David* Earl of *Glaſgow* our Theſaurer Deput, to Repreſent our Royal Perſon in this Aſſembly, whoſe Abilities to diſcharge this Truſt, with his former good Services therein, will, we doubt not, make him acceptable to you; We have fully inſtructed him in what may be further neceſſary; And therefore you may give him entire Truſt and Credit. So we bid you heartily farewel.

Given at our Court at Kenſington *the* 22 *day of* March 1707, *and of our Reign the Sixth Year.*

By Her Majeſties Command,

DAVID NAIRN.

III. THE

III.

The General Assemblys *Answer*,

TO

The Queens Gracious Letter.

Edinburgh, 10th *April* 1707. Sess. 3d.

May it please your Majesty,

THERE is nothing next to the Divine Approbation, can be more desireable and dear to us, than your *Majesties* Satisfaction with all our *Meetings* and Proceedings. The particular care your *Majesty* hath taken for the security of the Doctrine, Worship, *Discipline* and Government of this Church, we do acknowledge with all Thankfulness to God and your Majesty, and shall endeavour both for our selves and all under our Charge, that your *Majesty* may have all suitable returns of Loyalty and Obedience that become good and affectionat Subjects. The constant renewed Assurances that your Majesty is pleased to give us of your Protection in the free enjoyment of all the Rights and Priviledges that by *Law* we are possest of, are to us most acceptable, and lay us under all the Obligations of *Duty* and Gratitude to your Majesty whereof we are capable; Your *Majesty* is further pleased to promise us your chearful Concurrence in promoting true Piety and Religion, discourageing Profanness and Immorality, and preventing the grouth of Popery, for which we bless God that hath put and kept the same so fixedly in your *Royal* Heart, and we for our part shall endeavour through Gods Assistance not to be wanting to answer so great an Encouragement, as being perswaded that your Majesties giving *Life* to a vigorous Execution of the many good Laws already made for these purpoles, would, through the *Blessing* of God effectually advance this Work to his own Glory, the good of this Church, and the perpetual

petual Honour of your Majesties Reign, for which cause we shall also be observant to our power of your Majesties Royal Recommendation to us to fall upon all methods proper for planting of vacant Churches with pious and learned Ministers.

The choice your Majesty hath been pleased to make in appointing the Earl of *Glasgow* to Represent your Majesty in this Assembly, a person of such unquestionable Sufficiency and such steady Faithfulness and Zeal for your Majesties Service, and of such approven good Affection to the present Establishment is most acceptable unto us, and a singular proof of your Majesties Royal regard to all our Concerns; And doth therefore oblige us to give him that Trust and Credit which your Majesty requires. That God may preserve your Majesty as a lasting Blessing to your people, and an eminent Instrument for the Defence and Safety of the Reformed Churches at Home and Abroad, that as God hath signally blessed your Majesties Arms with wonderful Success, He may still prosper your Forces and these of your Allies by Sea and Land against the common Enemy, that your Majesty may be the Restorer of the Peace of *Europe*, and of the Liberty of the Protestant Churches Abroad, and that after a long and happy Reign over peaceable and loving Subjects, your Majesty may be possessed of Immortal Glory; Is and shall be the fervent Prayer of.

May it please your Majesty,

Your Majesties most Faithful, most Obedient and most Humble Subjects,

The Ministers and Elders, met in this National Assembly of the Church of Scotland.

Signed in Our Presence, in Our Name, and at Our Appointment, By

Jo. Stirling Moderator.

IV.

Act about Overtures, concerning Ministerial Visitation of Families.

Edinburgh 11 *April* 1707. Sess. 4.

SOme Overtures, concerning the Ministerial Visitation of Families: being according to an Appointment of the late Assembly, prepared by their Commission, and Transmitted to this Assembly: And having been considered, by the Committee for Overtures; and again brought to this Assembly, and considered by them, they did and hereby do transmit these Overtures to the several Presbytries within this National Church, that they may send their Opinion thereanent to the next Assembly: And Appoints the Clerk, to send a written Copy of the saids Overtures, to each Presbytry for that end.

V.

Act anent Schools in every Parish, and a Contribution therefor.

Edinburgh 12 *April* 1707. Sess. 5.

THE General Assembly considering, how much it would contribute to the Advancement of Religion, and the propagating of Christian Knowledge, if a sufficient number of Schools could be got Erected and Maintained through the Kingdom, and being earnestly desirous for their part to do what in them lyes, to forward so good a Work: Do therefore Enact and Appoint in manner following. And first, As to the Lands that are of Her Majesties Property, that Application be made by the Commissions of this and subsequent Assemblies, to the Lords of Her Majesties Thesaury and Exchequer, for obtaining Her Majesties proportion of what is allowed by Law, for Erecting of Schools in *Parishes*, according to Her valued Rent; and as to other Heretors in *Parishes* where Schools are not settled according to Law, Presbytries are hereby appointed to use all suitable endeavours to get Schools Erected and Maintained in Parishes conform to the Acts of Parliament, and if that succeed not, that they apply to the Commissions of Assemblies, and give them an account of their Diligence, who are hereby empowered to give all the assistance in this matter by applying to the Government or any otherways that is competent to them, and as to places where *Parishes* are so wide and spacious, that they require more Schools than one in each Parish; The General Assembly does hereby renew and continue the 14 Act of the General As-

ſembly held in the year 1704, Entituled, *Act anent Erecting Schools in the Highlands* in its whole Heads and Clauſes, and appoints the ſame to take effect until the Aſſemblies of this Church ſhall think fit to alter that Act, and the General Aſſembly earneſtly recommends it to the ſeveral Presbytries to ſee the ſame put in due Execution, and recommends it to the Reſpective Synods and Presbytries within this Church to ſend diſtinct accounts to the Commiſſion of this Aſſembly, betwixt and their meeting in *Auguſt* next to come, what Pariſhes in their bounds have or want Schools, and what are the Reaſons why they want the ſame, what places do moſt need them, and what is the extent of theſe Pariſhes that are ſpacious, and ſtand in need of moe Schools than one, and what are the places in each Pariſh that are moſt convenient for fixing theſe Schools at, one or moe: As alſo that they ſend an account of the Names of ſuch Students as are hopeful, and whom they could recommend for Teaching the ſaid Schools; and the Commiſſion is hereby ordained to put theſe accounts in order and Record the ſame in their Books, and ſicklike the General Aſſembly does hereby appoint Presbyteries to deal earneſtly with the Patrons of ſuch Pariſhes, as are or ſhall fall Vacant, to apply the Vaccant Stipends towards this ſo charitable and Pious an Uſe, and the Aſſembly hereby inſtructs their Commiſſion, to give all the encouragment and aſſiſtance they can to ſuch who encline to enter into Societies for Erecting and Maintaining of Charity Schools, for Educating of Poor and Indigent Children, and to uſe their utmoſt endeavours to get ſuch Societies erected in the ſeveral corners of the Countrey; and that they conſider what farder encouragement can be given by the Judicatories of this Church to the foreſaid Societies, and Report Overtures concerning the ſame to the next General Aſſembly; And in like manner Synods and Presbytries are hereby ſtrictly enjoined to enquire diligently what is become of the Money already ſubſcribed for, and collected in the ſeveral Presbytries for Erecting Schools in the *Highlands*, in purſuance of the foreſaid Act 14 General Aſſembly 1704, and that they deal with ſuch as have been deficient, yet to do what they can in ſo good a Work, and that they Report their Diligence herein to the Commiſſion of this General Aſſembly betwixt and their ſaid meeting in *Auguſt* next: And laſtly, the General Aſſembly does hereby appoint the ſeveral Presbytries to give a particular account to the next Aſſembly, how former Acts anent a School in every Pariſh, the Viſitations thereof and other things mentioned in theſe Acts are obſerved, and recommends it to ſubſequent Aſſemblies from time to time, to appoint a particular Committee to receive the Reports of Presby-

bytries in that matter, and prepare the same for the ensuing General Assemblies, who may do therein as they shall see cause.

VI.

Act anent the advancement of Learning.

Edinburgh 12 *April* 1707. Ante meridiem. Sess. 5.

THE General Assembly, for the better Advancement and Encouragement of Learning, do hereby Recommend it to the Commissioners directed to the several Universities of this Kingdom to subsequent Assemblies of this Church, that at the time of every General Assembly, they do meet and consult together, and prepare Overtures to be laid before the Assembly for the establishment and advancement of Piety, Learning and good order in the Schools and Universities, and that they be careful to keep a Correspondence amongst the Universities for these good ends.

VII.

Act anent Ministers publishing of Books, &c.

Edinburgh *April* 12 1707. Ante Meridiem. Sess. 5.

THE General Assembly hereby appoints the several Presbytries to take special notice of any Book or Pamphlet that shall be framed or Contrived, Printed or Published by any Minister of this Church, and Examine if there be any thing therein contrar to the Doctrine, Worship, Discipline or Government, or prejudicial to the Rights, Priviledges or Unity of this Church, and that they Censure such as shall transgress herein, according to the demerit of the Cause.

VIII.

Act for suppressing of Popery, and preventing the growth thereof.

Edinburgh *April* 14 1707. Post meridiem. Sess. 6.

THE General Assembly, taking to their serious Consideration the Lamentable Encrease of Popery in diverse places of this Nation, which they look upon as a sad

Judge-

Judgement from the Lord, and matter of Humiliation to all that love the Truth, and tho it were uncharitable to conclude that God is moſt diſpleaſed with thoſe Miniſters and Congregations, which are moſt aſſaulted, and ſhaken by theſe Temptations, yet it is ſurely matter of Humiliation to them: And therefore the General Aſſembly recommends to them to be frequent and ſerious in Faſting and Prayer to God, for reſtraining theſe Winds of Seduction: And beſides what was recommended on this account in the eight Act of the General Aſſembly 1699 which is hereby renewed: It is moreover recommended, Firſt, That if there be any Vacant Churches in theſe parts that are infeſted with Popery, all due care and Diligence may be uſed, to plant them with able Pious, Prudent and Learned Miniſters. 2*do.* That where there are Miniſters already, they do frequently commune with, and enquire at their Elders of the caſe of the People, and of the danger they may be in, and of the Trafficquing of Seducers amongſt them, that they may the more timely counterwork them; And Seſſions are ordained to report their Diligence in this matter to their Reſpective Presbytries. 3*tio.* That Presbytries where Popery encreaſeth, do at each Meeting conſer anent their danger thereby, and what their duty is, and what endeavours may be uſed againſt this Seduction, and record their ſucceſs, or if the defection be growing. 4*to.* That the Synod in which theſe Presbytries are, do at every Synodical meeting enquire concerning the ſtate of theſe parts as to the grouth of Popery, and give what aſſiſtance they can againſt theſe Abominations, and for this end. 5*to.* That they ſometimes ſend Miniſters one or moe that are well acquainted with theſe Controverſies to aſſiſt the Miniſters of the Bounds, not only to confer with the ſeduced, but alſo for eſtabliſhing others, Eſpecially perſons of more influence and authority in the Bounds. 6*to.* Where the Pariſh is great, that there be Probationers ſent to aſſiſt the Miniſter in Preaching, that he may have the moretime for Travelling up and down among the People, but Presbytries are to take ſpecial care, that this be not improven for eaſe and ſloath. 7*mo.* For making this anent Probationers practicable and uſeful, the General Aſſembly approves of the Overtures of the Commiſſion of the late General Aſſembly dated the 11*th* of *November* laſt bypaſt tranſmitted by the ſaid Commiſſion to the ſeveral Presbytries; And in proſecution thereof, Appoints and Ordains, that ſome Probationers known in the Popiſh Controverſies be ſent to theſe parts of the Nation, where Popery does moſt abound, to travel among the People under the inſpection, and at the direction of the Presbytries of the Bounds, and ſhew them the Errors of the Church of *Rome* and danger of the ſame;

same; And to instruct them in the Principles of the true Reformed Protestant Religion, and more especially in wide and spacious Parishes, where Ministers cannot be so frequently with their People, and that there be a Contribution made amongst Ministers, according to their Stipends for Encouragement of these Probationers in that Work; And that Ministers deal with Persons, who are Charitably and Piously enclined to contribute also for so good a work: And its hereby recommended to all Presbytries, that they be more careful of transmitting Lists of Papists to the Clerks of Privy Council tearmly, with particular Informations, according to the Acts of the General Assembly Parliament and Council thereanent: And it is likewise recommended to all Church Judicatories, to apply to the Civil Magistrates within their Bounds, for Executing the Laws competent to them in these matters, and where the concurrence and assistance of Supreme Judicatories is requisit, the Commissions to be appointed by this and subsequent General Assemblies are hereby enjoined to name a Committee of some of their number from time to time, to prosecute the same according to Law, and to manage the saids Missions and Contribution; And farder to render effectual the Overtures and Act of the said late Commission, dated the thirteenth day of the said Moneth, made for the better raising of the said Contribution and manageing of the same, and for beginning this so good a Work, the General Assembly does according thereto. 1*mo.* Desire each Minister, who has not already done the same in complyance with the said Act of the Commission, yet to advance a quarter of an years *Centesima* of their Stipend for one year, and recommends it to the Brethren, who are Members of this Assembly, to advance their proportion presently, if they can conveniently do it. 2*do.* Agrees, That each Probationer to be missionanted be allowed Two Hundered *Merks* for half a year. 3*tio.* That these Probationers be under the Inspection of the Presbytries of the bounds to which they go, and that they join with the Minister of the Paroch, sometimes assisting him in Preaching as said is, and in informing of the people in reference to the Truth; And the General Assembly appoints great care to be taken in chusing fit and able young Men to be sent on this Design; and for that end seriously recommends it to all the Presbytries to send Accounts of such from time to time to the saids Commissions or their Committees, and these young Men are hereby enjoined before they go on in their Mission to spend at least a Moneth in some of the Universities in studying the Cavils of the Popish Missionaries and the fittest way of dealing with the people; And the General Assembly hereby impowers the saids Commissions or their Committees to give suitable Advices and Directions to these young Men as to their Conduct in their Work,

And the Synods and Presbytries in the South are hereby desired to send in their Contributions to the Commission of this Assembly, or the Committee to be chosen by them for management thereof as said is, and these in the *North* to the Presbytries to which these young Men are sent, as soon as it is possible, that the same may be payed to the young Men; And farder the General Assembly appoints their Commission to draw up a distinct Account of the lamentable circumstances of these places where *Popery* most prevails, in order to move people to contribute to so pious a Work; And seing it may be difficult to get Probationers having the *Irish* Language for all these *Highland* places which may need this Assistance; The General Assembly appoints that such Probationers who have not the *Irish* Language shall preach that half of the day in which the Minister useth to preach in *English*, and shall be assistant to him in dealing privatly with these who have only *English*, and in like manner the Assembly recommends that some fit Books be dispersed among the people for their Information, and appoints that special care be taken to excite and keep the people intent on practical Godlyness, and to shew how *Popery* is distructive thereto, and Ministers are obtested to beware of Selfcon-fidence in the management of this Work, or of leaning to their own Abilities and Gifts, but that they do all with special Dependance on God through Christ, and with Prayer to him for Ability and Skill to manage the Work aright, and to bless it with Success: And lastly as the Rolls and Names of *Papists* are to be given up to the Clerks of Privy Council yearly, so it is hereby appointed and ordained that at every Synod the Names of the Papists within the several Parishes of their bounds be given in to the Clerk of the Synod, that their Encrease or *Decrease* may be the better known, and suitable provision may be made for recovering the seduced, and preventing the Seduction of moe, and that the several Synods do transmit these Lists of *Papists* yearly to the Commissions of Assemblies, and the saids Commissioners are hereby Instructed and Enjoined to take care that the above particulars and the Acts of Assembly made thereanent be strictly observed and put to due Execution, and that they do apply to the Government as need shall require, for Protection and Assistance to such as shall be sent in Mission as aforesaid.

IX.

Act approving the Actings and Proceedings of the Commission of the General Assembly Anno 1706.

Edinburgh, 16 *April* 1707. Sess. 8.

THE General Assembly having this day had produced in their presence the Register of the Actings and Proceedings of the Commission appointed by the late General Assembly, and having heard the Report of the Committee of their own Number, who were not Members of the said Commission, but appointed to consider, examine and revise the said Register, with their Observes thereupon and Answers made thereto by the Moderator and other Members of the Commission, the said Commission were removed, and *Mr. Thomas Black* Minister of the Gospel at *Perth* was chosen Moderator *pro tempore* (the Moderator of this Assembly having been a member of the Commission) the General Assembly having maturely considered the said Report and Answers made thereto, they did by their Vote and hereby do unanimously ratify and approve the Actings and Proceedings of the said Commission contained in their Registers subscribed by the Reverend *Mr. William Wisheart* Moderator and *Mr. John Dundas* Clerk, beginning the seventeenth day of *April* in the year 1706 and ending the seventh day of *April* instant 1707 years *inclusive*, and do commend and thank them for the great Zeal, Faithfulness and Diligence which they have evidenced in their saids Proceedings, And do find that they have managed the Affairs of the Church committed to them by the late General Assembly conform to their Instructions thereanent.

X.

Act concerning the Synod of Orknay, *and Erecting another Presbytry there.*

Edinburgh, 17 *April* 1707. Sess. 9.

THE General Assembly having heard the Report of their Committee for the Affairs of the Church in the *North*, the *Highlands* and *Islands* to whom the Petitions for the Presbytries of *Zetland*, *Orknay* and *Caithness* were referred, and also having heard the Commissioners from these Presbytries at this Assembly, They did and hereby do Apppoint the Act of the General Assembly dated the 11*th* day of *April* 1706 concerning

cerning the more convenient meeting and greater eaſe of the provincial Synod of *Caithneſs*, *Orknay* and *Zetland*, to continue and ſtand in force in all time coming without diſjoining the Presbytries of *Zetland* or *Caithneſs* therefrom or annexing the Presbytry of *Southerland* thereto, and ſeing that but few of the Presbytry of *Zetland* can conveniently attend that Synod, and that there are therein but two Presbytries beſides, ſo that in ſome caſes that meetting cannot do the Work of a Synod, and there being eighteen Miniſters in the Presbytry of *Orknay*, the General Aſſembly did and hereby do divide and erect the ſame into two Presbytries, *viz.* the Miniſters of the Pariſhes in the *Main-land* and *South-Iſles* of *Orknay* with a Ruling Elder for each Miniſter in one Presbytry, to have their Meeting for ordinary at *Kirkwall*, and to be called the Presbytry of *Kirkwall*, and the Miniſters of the *North-Iſles*, namely *Rouſay*, *Egilſhay*, *Weſtray* and *Papay*, *Northronaldſhay*, *Sanday*, *Eday* and *Stronſay* and *Shapinſay* with a Ruling Elder for each Miniſter in another ſeparat Presbytry, to have their Meeting for ordinary in the Iſle of *Eday*, and to be called the Presbytry of the *North Iſles*, and in caſes of Weight and difficulty the General Aſſembly appoints one of the Miniſters of *Kirkwal* and the Miniſters of *Evie* and *Dearneſs* to correſpond with the ſaid Presbytry of the *North-Iſles* and meet therewith, and do hereby ordain the Presbytries of *Caithneſs*, *Kirkwall*, the *North Iſles* and *Zetland* to bring yearly their Books to the Synod of *Orknay* to be by them reviſed, and becauſe the Brethren of the Presbytry of *Zetland*, are at great Charges and Trouble in attending the ſaid Synod, and ſome of them at more than others of them, the Aſſembly appoints the Brethren of the ſaid Presbytry to go to the Synod by turns and to bear equal burden in publick matters, and ordains Letters to be written to the Presbytries in theſe bounds Intimating the Premiſſes to them, and that the Synod of *Roſs* and *Orknay* keep a mutual Correſpondence as is uſual in other Synods.

XI.

Act approving a Form of Proceſs in the Judicatories of the Church, with relation to Scandals and Cenſures.

Edinburgh, 18 *April* 1707. Seſſ. 11.

THE General Aſſembly having this day and at ſeveral former Diets had read in their Audience the Overtures concerning a Form of Proceſs in the Judicatories of this Church with relation to Scandals and Cenſures, which were tranſmitted by the late General Aſſembly to the ſeveral Presbytries

for

for their Judgement thereupon, and having maturely considered the saids whole Overtures with the Remarks and Observations of Presbytries made upon the same after full reasoning, both in Committees and open Assembly upon the several particulars contained in the said Form of Process, the General Assembly did by their Votes *Nemine contra dicente*, and hereby do ratify and approve the foresaid Form of Process as now amended in the whole Heads and Articles thereof, and Appoint and Ordain the same to be observed and practised by the respective Judicatories of this Church as an Act and Ordinance of Assembly, and as fixed binding Rules and Directions in the whole matters therein contained, except the 7, 8 and 9 Paragraphs of the fourth Chapter and what concerns the pressing of the Oath of Purgation. As to which the General Assembly superceeds at this time to enjoin the Observation thereof as positive standing Rules, but they did and hereby Do unanimously recommend to the several Presbytries and other Judicatories of the Church, that they regulat themselves according to the Advice therein insinuated, as they shall find to tend most to Edification; The Tenor of which Form of Process follows.

The Form of Process in the Judicatories of the Church of *Scotland*; With relation to *Scandals* and *Censures*.

CHAP. I.

Concerning Church Government, Discipline, Scandals and Censures in general.

OUR LORD JESUS CHRIST hath Instituted a Government, and Governours Ecclesiastical in his House, with Power to meet for the Order and Government thereof; And to that purpose, the *Apostles* did immediatly receive the Keys from the Hands of their *Lord* and *Master* JESUS CHRIST, and did use and exercise the same upon all occasions, and CHRIST hath from time to time furnished some in his Church with Gifts for Government, and with Commission to exercise it when called thereunto,

and has promiſed His Preſence to be with them to the end of the World.

2. It is agreeable to, and founded on the Word of GOD, that ſome others, beſides theſe who Labour in the Word and Doctrine be Church Governours, to join with the Miniſters of the Word in the Government of the Church and Exerciſe of Diſcipline and overſight of the manners of the *People*, which Officers are called Ruling Elders: As alſo, that the Church be Governed by ſeveral ſorts of Judicatories, and one in Subordination to the other, ſuch as Kirk-Seſſions, Presbytries, *Provincial* Synods and General Aſſemblies.

3. Church-Diſcipline and Cenſures, for judgeing and removing of Offences are of great uſe and neceſſity in the Church, that the Name of God by reaſon of ungodly and wicked *Perſons* liveing in the Church, be not Blaſphemed, nor His Wrath provocked againſt His *People*, that the Godly be not leavened with, but preſerved from the contagion, and ſtricken with fear, and that Sinners who are to be cenſured may be aſhamed, to the deſtruction of the Fleſh, and ſaving of the Spirit in the day of the Lord Jeſus.

4 Nothing ought to be admitted by any Church Judicatory as the ground of a Proceſs for Cenſure, but what hath been declared cenſurable by the Word of God, or ſome Act or univerſal cuſtom of this National Church agreeable thereto; And the ſeveral Judicatories of this Church ought to take timous notice of all Scandals: But it is judged, that if a Scandal ſhall happen not to be noticed in order to cenſure for the ſpace of Five years, it ſhould not be again revived, ſo as to enter in a Proceſs thereanent, unleſs it be of an hainous nature, or become again flagrant, but the Conſciences of ſuch Perſons ought to be ſeriouſly dealt with in privat to bring them to a ſenſe of their *Sin* and Duty.

5. Theſe Aſſemblies or Church Judicatories beforementioned have power to conveen and call before them any perſons within their own Bounds, whom the Eccleſiaſtick Buſineſs, which is before them doth concern, either as party Witneſs or otherways, and to examine them according to the nature of the *Affair*, and to hear and determine in ſuch caſes as ſhall orderly come before them, and accordingly diſpenſe Church Cenſures.

6. If a perſon be charged with a Scandal, who lives within the Bounds of another Pariſh, the Kirk-Seſſion of the pariſh where that perſon reſides ſhould be deſired to cauſe cite that perſon to Anſwer before the Seſſion in whoſe Bounds the Scandal happened, and the ſame courſe is to be followed in ſuch caſes by the other Judicatories of the Church, ſeing for Orders ſake they ſhould not preſume to exerce their Authority without their own Bounds.

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7. The Minister of the Word being in Office above that of the Ruling Elder, cannot be lyable to the censure of the Kirk-Session, but to the Superior Judicatories of the Church.

CHAP. II.

Concerning the entering of Processes, Citation of Parties, and Witnesses, and taking Depositions, and anent Fugitives from Discipline.

MEmbers of Kirk Sessions are wisely to consider the Information they get of Scandals and consult with their Minister thereanent, even before the same be Communicat to others, that thereby the spreading of the Scandal may be prevented, and it may be removed by privat Admonition according to our Lord and Saviours Rule *Matth.* 18. 15. which if amendment follow, is the far better way of gaining and recovering a lapsed Brother, whereas the needless spreading of a Scandal does sometimes harden the guilty, grieve the Godly, and is dishonourable to Religion.

2. When any business is moved in a Church Judicatory, whether by Information, Petition or otherwise, they are in the first place to consider, whether the matter in its circumstantiat case be proper for them to enter upon, and whether it be orderly brought in, and proper for them to cognosce and discuss it themselves, or prepare it for Superior Judicatories, and should endeavour to shorten their Work as much as with the Edification of the Church they can, especially as to the head of Scandal, but still on all occasions the Office-bearers in the House of God are to shew all prudent Zeal against Sin.

3. In proceeding in all Causes, where there is any person or parties concerned, the Judicatory is to see, that before they proceed, these persons or parties be duely sisted before them by a legal and timeous Citation in write, bearing its cause, either at the instance of a party complaining, or at least by order of the Judicatory; and if they be residing within the parish, the same may be upon fourty eight Hours Advertisement, and the Execution of the Summonds bearing its cause, and made before two or three Witnesses insert, is to be returned by the Beadle or Officiar in Writing, and the persons cited, called at the door; And this is especially to be observed by Presbytries and other Superior Judicatories of the Church.

4. Sometimes it may be fit that the party be privately spoken to, before any citation be given or Process begun, for their better gaining, in which case the Minister is to exercise his own discretion, and take the concurrence of Elders and others with him, but if the party cited as above, appear not there

there ought to be a ſecond and then a third Citation given by the order of the Seſſions and Presbytries, either perſonally, or left at their Dwelling houſe before the Judicatory declare the perſon contumacious, unleſs the party be cited to appear before a Superiour Judicatory by Reference or Appeal, in which caſe there is not that need of ſo many Citations, before the Superior Judicatory, the Party having actually appeared before the Inferior Judicatory; And being cited *apud acta* to appear before the Superior, and the ſame marked in the Minuts, or having been declared contumacious before the cauſe was brought before the Superior Judicatory.

5. All Citations *apud acta* are peremptory, and if inſtructed, infer contumacy if not obeyed.

6. If the perſon do not appear on the third Citation, or upon a Citation *apud acta*, and no relevant excuſe adduced and verified, tho' in that caſe he be cenſurable for contumacy, yet it may be fit the Judicatory proceed to take cognition, either by Examining Witneſſes upon Oath, or by other Documents of the verity of the Scandals delated againſt him, before they cenſure him for contumacy.

7. If the Party appear, then the Moderator is to inform the perſon of the occaſion of his being called, and to give him, if deſired, a ſhort note in writing thereof, with the Names of the Witneſſes that are to be made uſe of.

8. There ſeems to be no need of Accuſers or Informers in Eccleſiaſtick Proceſſes, where the ſame are not raiſed at the inſtance of a Party complaining formally, but the party if cited by order of the Judicatory, is to Anſwer the Judicatory in what is laid to his Charge: Yet ſo, that if the party cited be found innocent and acquitted, theſe who informed the Judicatory, whether the party require it, or not, ought to be noticed, for either their Calumny or Imprudence, as the Judicatory ſhall find cauſe.

9. If there be Witneſſes to be made uſe of in the Proceſs, a Liſt of their Names ought to be given to the Defenders ſome time before, or at leaſt at their compearance, and the Witneſſes ought to be timeouſly cited to give evidence, and if they refuſe after three Citations given, and Executions returned, may be proceeded with as Contumacious, or if judged needful, after the firſt or ſecond citation application may be made to the Civil Magiſtrat, that he may oblige them to appear.

10. Before the Witneſſes be judicially examined, the accuſed perſon is to be called, and the Relevancy of the Lybel diſcuſſed, and if the Defender compear, he may object againſt any of them, and if the objection be relevant, and made evident to the Judicatory, the Witneſſes are to be caſt, But a

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Perſon's being the Delator or Informer, doth not hinder him to be a Witneſs, except in the caſe where he formally complained for his own Intereſt, or of pregnant preſumptions of Malice againſt the perſon accuſed.

11. Though there be no relevant objection, yet the Witneſſes are ſolemnly to be purged of Malice, bribe or good deed done or to be done, and of partial counſel.

12. The Witneſſes are to be ſworn and examined in the preſence of the accuſed party if compearing, and he may deſire the Moderator to propoſe ſuch queſtions or croſs queſtions to the Witneſſes, as may tend for his Exculpation, which if the Judicatory think pertinent are to be propoſed, but no accuſed perſon is to interrupt the Witneſſes, or ſpeak during the time of Depoſition.

13. If the party accuſed do before probation offer grounds of Exculpation to be proven by Witneſſes, the Moderator and Clerk, if required, are to give Warrand to cite the Witneſſes upon the Parties Charges, the relevancy of the offered Exculpation being firſt conſidered and ſuſtained by the Judicatory, and if the Exculpation be fully proven as to the ſubſtance of the Scandal, all further proof of the Lybel and accuſation muſt there ſiſt, and the Defender is to be aſſoilzied, as if the Lybel be ſpecial as to the time and place of a Fact, and the accuſed more pregnantly alledge and clearly prove *alibi*, but if the ſubſtance of the Scandal be once ſuſtained and deponed upon, there can be no place for Exculpation, unleſs it be as to ſome extenuating or alleviating circumſtances not contrary to, but conſiſtent with the Depoſitions already taken.

14. If Witneſſes cannot Subſcribe their Names to their Depoſition, the Clerk is to mark that they declare they cannot Writ, and the Moderator is to Subſcribe the ſame, whether they can ſubſcribe or not.

15. After the Depoſitions are ended, the Parties being removed, the Members of the Judicatory at the ſame or ſome after dyet thereto appointed, are to adviſe the cauſe, and there and then to reaſon the Affair calmly, ſpeaking always to the Moderator one after another, without interrupting one another, uſing no reflecting Language to, or of one another, nor too long harrangues or digreſſions.

16. If any perſon or perſons under Proceſs for Scandals obſcond, they ſhould after being called before the Judicatory and not compearing, be cited firſt from the Pulpit of the Pariſh where the Proceſs depends and where they reſide, and if they do not thereupon appear before the Judicatory before whom the Proceſs depends, they are by order of the Presbytry to be cited from the Pulpits of all the Kirks within their bounds to compear before the Presbytry; And if they do nor then compear, they are to be declared fugitive

from Church Diſcipline, and the ſame intimate in all the Kirks within the bounds of the *Presbytry*, deſiring, that if any knows of the ſaids Fugitives, they may acquaint the Miniſter or *Elder* of the bounds thereof, and the Preſbytry are to ſiſt there untill they get further notice of theſe perſons.

CHAP. III.

Concerning Swearers, Curſers, Profaners of the Lords-Day, Drunkards and other Scandals of that nature.

IT may fall out that one ſingle Act of *D*runkenneſs or Breach of the Lords-Day, Diſobedience to Parents, or of Swearing, Curſing, Scolding, Fighting, Lying, Cheating or Stealing, may be cloathed with ſuch Circumſtances, as may be a juſt ground of Proceſs immediately, and even bring the perſons guilty under the Cenſure of the leſſer *E*xcommunication and Suſpenſion from the benefit of the ſealing Ordinances, and require their appearance in preſence of the Congregation to be rebuked, before relaxation, but the weight of this is duely to be pondered, and Church Judicatories and *M*embers thereof, are to conſider, whether the privat Admonition of perſons alledged and found guilty of the above *S*candals, if not cloathed with ſuch Circumſtances or the bringing them to publick, will tend moſt to Edification, and proceed accordingly.

2. But ordinarly in all ſuch Offences, the guilty for the firſt fault would be ſpoken to in privat by the Miniſter or an Elder and admoniſhed, and on promiſe from a Senſe of Guilt to amend, they may ſiſt there.

3. But if the perſon relapſe, he ſhould be called before the Seſſion, and if found guilty may be there judicially rebuked, where the Seſſion on promiſe, from a due Senſe of Sin, to amend may again ſiſt.

4. But if the perſon amend not after that, the *S*eſſion ſhould orderly proceed unleſs Repentance appear and due Satisfaction be offered, till they inflict the Cenſure of the leſſer Excommunication and Suſpenſion from the benefite of the ſealing Ordinances, under which the cenſured are to lye till Amendment and Reformation.

5. With reſpect to Scandals, the groſsneſs whereof makes it neceſſary to bring the perſons guilty oftner than once before the Congregation, the Rules preſcribed by the fourth Act of the General Aſſembly *anno* One Thouſand Seven Hundered and Five are to be followed.

6. If the guilty perſons continue in this Condition, or lye under the Cenſure of the leſſer Excommunication a conſiderable time, and yet be found frequently relapſing in theſe

these Vices they are censured for, it may be constructed such a degree of Contumacy, and so aggravat the Crime as to found a *Process* of the censure of the higher Excommunication, which is to be inflicted, or not, as may tend most to the reclaiming of the guilty person and Edification of the Church.

CHAP. IV.

Concerning the Sin of Fornication, Adultery and Scandalous Carriage tending thereto.

IN Delations about the sin of Uncleanness, it falls frequently out, that when the matter is put to the strictest Trial, all that can be proven is but presumptions of Guilt or Scandalous Behaviour, and not the Act of Uncleanness, the same being a Work of Darkness; and therefore this should oblige the Kirk Session to be very cautious how to admitt the publick entering a process without good warrand, where there is not a Child in the case, unless the Scandal be very flagrant.

2. Many of these Actions which give occasion to the raising a Scandal of Uncleanness, are such as are not themselves alone publickly censurable, but to be past by with a private Rebuke or Admonition.

3. Yet some of these Actions which come under the Name of Scandalous Behaviour, may be so lascivious and obscene, and cloathed with such Circumstances, as may be as offensive as the Act of Uncleanness it self, and as censurable.

4. If a married Woman whose Husband hath been notourly absent for a considerable time, beyond the ordinary time that Women use to go with Child, be found with Child, this also may give ground to a Kirk Session for a *Process* against her; But in this Case Judicatories would be prudent in considering well all Circumstances, and whether or not the person hath been always of entire Fame before, as also how the publick Fame now runs.

5. When an unmarried Woman is known to be with Child, the same gives ground to a Kirk Session for a Process against her, and after she is cited before the Session and appeareth, she is to be Interrogat who is the Father of that Child, and though in other cases the divulging of a Secret may be very imprudent and indeed the raising of a Scandal, yet in this case where there is a Child, whereby there is an undenyable Scandal, and the keeping secret of the Father a ground of greater Offence, and of suspecting many innocent persons, if she discover not the Father, she is to be lookt upon as contumacious.

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6. Prudence may ſometime require that the perſon ſhe nameth to be the Father of the Child, be informed thereof, and ſpoke to privately, and if he deny the ſame, he is ſeriouſly to be dealt with to confeſs, but if he ſtill deny, then the Seſſion is to cauſe cite him to appear before them.

7. In this Proceſs when the delated Father compeareth, he is to be Interrogat, and if he deny, he is to be confronted with the Woman, and the preſumptions, as particularly held forth as poſſible, and all along there ſhould be privat Treating with him, in all Meekneſs, Charity and Serioulneſs, and if after all this he deny, though the Womans Teſtimony can be no ſufficient evidence againſt him, yet pregnant preſumptions, ſuch as ſuſpicious frequenting her Company, or being *ſolus cum ſola in loco ſuſpecto*, or in ſuſpect poſtures and ſuch like which he cannot diſprove to the Satisfaction of the Seſſion, may ſo lay the Guilt upon him, as to ſhew him, that there appears no other way of removing the Scandal, but his Appearance to be publickly rebuked therefor; If he will not ſubmit himſelf to be rebuked as above, it perhaps may be more for Edification that a true Narrative of the caſe be laid before the Congregation, and Intimation given that there can be no further procedure in that matter, till God in His Providence give further Light, and to ſiſt there at the time, than that an Oath be preſt, and upon refuſal proceed to the higher Excommunication; But if the perſon accuſed do offer his Oath of Purgation, and crave the Priviledge thereof, the Presbytry may (if they ſhall judge it for Edification and removing of the Scandal,) allow the ſame which may be to this purpoſe. "*I. A. B.* "now under proceſs before the Presbytry of for the ſin "of alledged to be committed by me with *C. D.* "and lying under that grievous Slander, being repute as "one guilty of that Sin; I for ending of the ſaid Proceſs and "giving ſatisfaction to all good people, do declare before "God and this that I am innocent and free of the "ſaid ſin of or having carnal Knowledge of the ſaid *C. D.* "and hereby call the great God, the Judger and Avenger "of all Falſhood, to be witneſs and Judge againſt me in this "matter if I be guilty; And this I do by taking His Bleſſed "Name in my Mouth, and ſwearing by Him, who is the "great Judge, Puniſher and Avenger as ſaid is, and that "in the ſincerity of my Heart according to the Truth of the "matter and mine own Conſcience, as I ſhall Anſwer to God "in the Laſt and Great Day, when I ſhall ſtand before Him "to anſwer for all that I do in the Fleſh, and as I would par-"take of his Glory in Heaven after this Life is at an end.

8. In taking this Oath for Purgation, all Tenderneſs and Caution is to be uſed, nor is the Seſſion to preſs any Man thereto, but they are to deal with him and his Conſcience, as

as in the sight of God, and if he offer to give his Oath, the Judicatory are to accept it or not as they shall see cause, and then to proceed to remove the Scandal, with the Advice of the Presbytry, as may be most to Edification; But this Oath is not to be taken in any case but this, when the Presumptions are so great that they creat such Jealousie in that Congregation and Session, that nothing will remove the suspicion but the Mans Oath of Purgation, and when his Oath will probably remove the Scandal and Suspicion, in all other cases this Oath is in vain, and so should not be admitted, and never but by advice of the Presbytry.

9. This Oath for purgation is to be taken either before the Kirk Session or Presbytry, or the Congregation as the Presbytry shall determine, and if the Oath be taken before the Session or Presbytry, it is to be intimat to the Congregation that such a person hath taken such an Oath, and the Party may be obliged to be present in the Congregation, and may be put publickly to own his purging himself by Oath, and so be declared free from the alledged Scandal

10. After an end is made as above with the delated Father, the Woman is to be dealt with to give the true Father and if after all serious dealing and due *Diligence*, she give no other, she is to be censured according to the quality of the offence confest by her, without naming the person delated by her, the Judicatory reserving place for further censure upon further Discovery.

11. If the Woman who hath brought forth the Child, doth declare she knoweth not the Father, alledging she was forced, as in the Fields by a person unknown, or any the like reason; In these cases great *Prudence* is to be used, the former Behaviour of the Woman exactly searcht into, and she seriously dealt with to be ingenuous, and if she hath been of entire Fame, she may be put to it to declare the the Truth as if she were upon Oath, but not without the Advice of the *Presbytry*, and no formal Oath should be taken, and if the Woman confess she was not forced, but doth not know the Man, whether married or unmarried, the same Censure is to be inflicted upon her, as in the case of Adultery.

12. If a person doth voluntarly confess Uncleanness, and if there be no Child, and the case be brought to the Kirk-Session, the Session is to enquire what presumptions there are of the Truth of the thing confest, or what may have moved the person to make that Confession, whether it flowe[illegible]om disquietness of Mind, or from siniſtrous design, as when a Man suing to a Woman for Marriage is denyed, and for Revenge, or for to obtain his desire spreads the Report that he hath been guilty with her, they are to be dealt

with, according as the presumptions upon search, are found, or not.

13. If it be found that there is no ground for the Confession, and that it is false, the person confessing is to be censured as defaming himself, and likewise as a *Slanderer* of the other party; And withall Application is to be made by the Session to the civil Magistrat, that he may be punished according to *Law*.

14. If there be need of Witnesses, the Directions formerly mentioned Chapter 2*d*. are to be followed.

15. When persons guilty of Uncleanness live one in one *Parish*, and another in another Parish, the *Process* against them, and Censures are to be before the *Session* of the Parish where the Woman liveth, or where the Scandal is most nottour.

16. If a *Scandal* of Uncleanness be committed where neither party resides, as if persons having their fixed Residence in one *Parish* do commit Uncleanness in another Parish, or perhaps in the Fields, or in the time of Fairs or Mercats; In these cases, they are to be processed and censured where their ordinary abode is, except the place of their Abode be at a considerable distance from the place where the Sin was committed, and the Scandal be most flagrant where it was committed.

17. When there is a Scandal of Uncleanness whereof persons are guilty living in different *Parishes*, the Session where the Sin was committed is to acquaint the other Sessions where any of the persons resides, who are *ex debito* to cause summond these persons to appear before that Session, where the Scandal is to be tryed.

18. When a person is convict of Scandal by a Session of another Congregation than his own, and the Censure of the lesser Excommunication is inflicted, the Session is to send an account thereof to that Session to which he belongs, but there is no need of any other Sentence of his own Session, to fix the Censure on him, but only a publick Intimation thereof to be made in his own *Parish*.

19. When a person is censured and absolved from his Scandal in another Congregation than where he lives, he is to bring a Testimonial of his Absolution, which is to be intimat to the Congregation he lives in, if the Scandal be also flagrant there; Otherways it will be sufficient to intimat the same to the Session, and the same is to be done in the case of the Profession of Repentance where there has been a Sentence of the lesser Excommunication.

CHAP. V. *Con.*

CHAP. V.

Concerning Appeals from a Kirk Session to a Presbytry. &c.

ALL persons who judge themselves leased by the Procedure or Sentence of a Kirk Session, may appeal to the Presbytry by declaring and protesting at passing of the Sentence, and should thereupon according to the Eight Act of the General Assembly 1694, give in the Appeal with the Reasons thereof in Write, to the Moderator or Clerk of the Session, within the space of ten days after the time of Appealing, and procure Extracts thereof, and present the same to the next Meeting of the Presbytry thereafter, if there be a competent time, at least ten days free betwixt the time of Appealing and the Meeting of the Presbytry; and should then insist in the Appeal, wherein if the Appellant faill, the Appeal *ipso facto* falls and becomes null, and the Appellant is to be held as contumacious, and proceeded against accordingly by the Kirk Session.

2. When an Appeal is brought from a Kirk Session to a Presbytry, the Presbytry is to consider, whether the Cause is of that nature, as it behooved at length to come to the Presbytry by the Course of Discipline, before the final Determination thereof, as if it be in a Process of alledged Adultery or such like, then the Presbytry to save themselves time may fall upon the consideration of the Affair without insisting much upon the *bene* or *male Appellatum*, though it seem to be preposterously appealed.

3. But if the cause be such as the Kirk Session are the competent and proper Judges of, even to its ultimat Decision, and if there hath been no cause given by the Kirk Session, by their breaking the Rules of an orderly Process, either by the course of the Process, or by the Incompetency of the Censure, the Presbytry is not to sustain the Appeal.

4. If the Presbytry do not sustain the Appeal, and find there hath been some Fault, Passion or culpable mistake in the Appellant, the Presbytry is to inflict some censure, such as a reproof before the Presbytry, or appoint an acknowledging of their precipitancy before their own Session or such like, on these Appealers they find to have been malicious and litigious, thereby to prevent unnecessary Appeals, and that beside remitting back to the Session, to stand either to the Censure of the Session, if it be inflicted already, or to sist themselves during the Process if it be depending.

5. If the Appeal be sustained, and yet upon proceeding on the cause the Presbytry find the Appellant censurable, it is always to be minded, that whatever censure be inflicted to remove the Offence he hath given to the Presbytry, yet

the Appellant if found guilty is to undergo a Cenſure, either before the Kirk-Seſſion or Congregation he belongs to, ſuch as the Presbytry thinks he deſerves, elſe Presbytries will be always troubled with Appeals.

6. Ifon the other hand, on tryal of the Proceſs, the Presbytry find the Kirk-Seſſion hath unwarrantably proceeded, either in contributing to the raiſing of a Scandal, or inflicting the Cenſure without a ſufficient cauſe, and thereby the Appellant leſed; The Presbytrie is not only to aſſoilzie the Appellant, but to take ſuch ways as may be proper and effectual to vindicat the Appellants Innocence, and wipe off the Scandal taken at him.

7. Herein the Presbytry is to exerciſe great Prudence, doing Juſtice to the Innocent, yet ſo, as not to weaken the Kirk-Seſſions Authority in that Congregation, if in Juſtice it can be avoided.

8. But ſuch an Emergent may very well occaſion the Presbytries giving the Miniſter and Elders of that Seſſion ſuitable enjunctions and Rules to walk by, or private Admonitions, or to call for a Viſitation of their Seſſion Regiſter.

9. The ſame method is to be followed in Appeals from Presbytries to Synods, and from Synods to General Aſſemblies.

10. An Appeal being made by Parties, ſhould ſiſt the Execution of the Sentence appealed from, only while the Appeal is duly and diligently proſecute, and may thereby be determined, otherwiſe not, unleſs the Judicatory appealed to, receive the Appeal, and take the Affair before them, And in that caſe the Judicatory Appealed from, is to ſiſt until the Appeal be diſcuſt.

CHAP. VI.

Concerning Proceſſes, which natively begin at the Kirk-Seſſion, but are not to be brought to a final determination by them.

THERE are ſome Proceſſes, which natively begin at the Kirk-Seſſion, which, for the attrocity of the Scandal, or difficulty in the Affair, or general concern, the Seſſion having the opportunity of frequent Meetings of the Presbytry to have recourſe unto, do not determine of themſelves, ſuch as Scandals of Inceſt, Adultery, Trilaps in Fornication, Murder, Atheiſm, Idolatry, Witchcraft, Charming, and Hereſie and Error, vented and made publick by any in the Congregation, Schiſm and Separation from the publick Ordinances, Proceſſes in order to the higheſt Cenſures of the Church, and continued Contumacy; But the Kirk-Seſſion having received Information of ſuch groſs Scandals, they are to weigh the ſame according to the Rules and Directions preſcribed them in Proceſſes

esses, which belong to their peculiar Province, and if they find good ground for a Proceſs, they are to deal with the perſon accuſed to confeſs, that which now cannot be hid nor amended, till ſatisfaction be made to the Church, which when done the Seſſion is to refer the caſe, and ſend an Extract of their procedure thereanent to the Presbytry.

2. When there is no Confeſſion of the Scandals abovementioned, the Seſſion are not to proceed to lead probation by Witneſſes or preſumptions, till an account of the matter be brought by Reference to the Presbytry as aforeſaid, and the Presbytry do thereupon appoint the Seſſion to proceed and lead Probation; And after Probation is led, the ſame is to be brought to the Peresbytry, who may inflict what Cenſure they ſee cauſe.

3. Sometimes it will fall out that the Proceſs is ſo clear, as in a caſe of judicial confeſſion, that the Kirk-Seſſion may Summond the Delinquent when before them *apud acta*, to compear before the Presbytry, without previous acquainting them thereof, but where there is any difficulty, the Kirk-Seſſion ſhould inform the Presbytry and take their Advice before a party be Summoned before them.

4. When the Party or Parties compear before the Presbytry, if they confeſs and profeſs Repentance for their Sin, then the Presbytry having gravely rebuked, and ſeriouſly exhorted the party or parties, are to determine the Cenſure, and preſcribe the time and place of the parties their profeſſion of Repentance publickly in the Church of that Congregation where the Proceſs began, the Scandal being there to be taken away, or remit them to the Seſſion to receive orders thereanent.

5. It is thought more fit that the Delinquents be appointed to remove the Scandal in the Congregation, where the Offence is moſt flagrant, eſpecially if they reſide there, rather than in the place where it was committed, if it be not publick there, and that Intimation of the removing thereof be made in other places, if the Judicatory ſhall find it needful.

6. When perſons Cenſured for theſe groſſer Scandals do apply to the Kirk Seſſion for relaxation, they may both be privately conferred with, and likeways their acknowledgements heard before the Seſſion, but they ought not to be brought before the Congregation, in order to their Abſolution, nor abſolved, but by advice and order of the Presbytry.

CHAP. VII.

Concerning Proceſſes againſt Miniſters.

ALL Proceſſes againſt any Miniſter, are to begin before the *Presbytry* to which he belongeth, and not before the Kirk Seſſion of his own Pariſh.

2. The Credit and Succeſs of the Goſpel (in the way of an ordinary mean) much depending on the entire Credit and Reputation of Miniſters their ſound Doctrine and Holy Converſation, no ſtain thereof ought lightly to be received, nor when it comes before a Judicatory ought to be negligently enquired into, or when found evident, ought to be ſlightly cenſured.

3. And becauſe a Scandal committed by a Miniſter hath on theſe accounts many aggravations, and once raiſed, though it may be found to be without any ground, yet it is not eaſily wipt off; Therefore a Presbytry would exactly ponder by whoſe Information and Complaint it comes firſt before them, and a Presbytry is not ſo far to receive the Information, as to proceed to the Citation of a Miniſter or any way begin the Proceſs, until there be firſt ſome perſon, who under his hand gives in the Complaint, with ſome account of its Probability, and undertakes to make out the Lybel. 2*do*. Or at leſt do before the Presbytry undertake to make it out, under the pain of being cenſured as Slanderers. Or 3*tio*. That the *fama clamoſa* of the Scandal be ſo great, as that the Presbytry for their own Vindication ſee themſelves neceſſitat to begin the Proceſs, without any particular Accuſer: But the Presbytry in this caſe would be careful, Firſt, To enquire into the Riſe, occaſion, Brotchers and Grounds of this *fama clamoſa*.

4. All Chriſtians ought to be ſo prudent and wary in accuſing Miniſters of any cenſurable Fault, as that they ought neither to publiſh nor ſpread the ſame, nor accuſe the Miniſter before the *Presbytry* without firſt acquainting, the Miniſter himſelf if they can have acceſs thereto, and then, if need be, ſome of the moſt prudent of the Miniſters and Elders of that Presbytry, and their advice got in the Affair.

5. If there ſhall be ground found to enter in a Proceſs againſt a Miniſter, the Presbytry ſhould firſt conſider the Lybel, then order him to be cited, and to get a full Copy, with a Liſt of the Witneſſes Names to be led for proving thereof, and a formal Citation in write is to be made either perſonally, or at his dwelling Houſe, bearing a competent time allowed to give in Anſwers to the Lybel, and his juſt

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Defences and Objections against Witnesses, at least ten free days before the day of Compearance, and the Citation should bear the date when given, and the Names of the Witnesses to the giving thereof; and the Execution bearing its date, with the Names and Designations of the Witnesses should be made in write and signed by the Officiar and Witnesses, which being accordingly returned, he is to be called, and if he compear, the *Lybel* is to be read unto him, and he is to be enquired if he has any Answers to give in to the Lybel, that they may be read and considered, in order to the discussing of the Relevancy, and if the *Presbytry* find the same, and that there is cause to insist, they are to endeavour to bring him to a Confession, whereby he may most glorify God; And if he confess, and the matter confest be of a scandalous nature, censurable in others, such as the Sin of Uncleanness, or some other gross Scandal, the Presbytry (whatever be the nature of his penitency, though to the Conviction of all) are *instanter* to depose him *ab officio*, and to appoint him in due time to appear before the Congregation where the Scandal was given, and in his own Parish, for removing the Offence, by the publick profession of his Repentance.

6. If a Minister be accused of any Scandal, and cited to appear before his own Presbytry, and do absent himself by leaving the place, and be contumacious without making any relevant Excuse, after a new publick Citation and Intimation made at his own Church when the Congregation is mett, he is to be holden as confest, and to be deposed and censured *instanter* with the lesser Excommunication; But if after some time he do not return and subject himself to the Censures of the Church; he may be proceeded against till he be censured with the greater Excommunication, if the Judicatory see cause for it.

7. If the Minister accused do appear and deny the Fact after the Relevancy is found, the Presbytry proceeding to probation, and to find the Truth of the matter, all the circumstances are to be exactly canvassed, and the accused heard to object against the Witnesses: As also he should be allowed to be present at the Examination, and modestly to cross Interrogat; and then the Reputation of the Witnesses and their hability duely regarded, and the Examinations considered: If after consideration of all these, the Judicatory shall find the Scandal sufficiently proven, they are to proceed to censure, as advised in the case of Confession in paragraph 5th.

8. If the matter laid to the Ministers charge be such practices as in their own natnre manifestly subvert that Order, Unity and Peace, which Christ hath established in his Church

Church, or Unſoundneſs and Heterodoxie in Doctrine; then great Caution would be uſed, and the Knowledge and Underſtanding of Witneſſes much lookt unto, and withall, if the Errors be not groſs and ſtricking at the Vitals of Religion, or if they be not pertinaciouſly ſtuck unto, or induſtriouſly ſpread, with a viſible deſign to corrupt, or that the Errours are not ſpreading among the people, then *Lenitives*, Admonitions, Inſtructions and frequent Conferences are to be tryed to reclaim without cutting off, and the Advice of other Presbytries ſought, and unleſs the thing be doing much hurt, ſo as it admits of no delay, the Synod or General Aſſembly may be adviſed with in the Affair, and the ſame intimat to the Miniſter concerned.

9. If the Lybel and Complaint brought againſt a Miniſter be a multitude of ſmaller things laid together, as ſeveral Acts of Negligence or other unſuitable Actions, the Presbytry in proceeding therein are to make a *Presbyterial* Viſitation of that Pariſh to which the Miniſter belongs, and at the ſaid Viſitation, are firſt to ſee if any of theſe things now laid to the Miniſters Charge, were committed *prior* to the laſt presbyterial Viſitation of that Pariſh, and whether they were then laid to his charge, and if they were not, it would be tryed, how they come to be laid to his Charge now.

10. If the *Presbytry* find theſe things laid to his Charge, to be committed ſince the laſt Viſitation, or find a ſatisfying reaſon wherefore they were not then tabled, they are to enquire what diligence hath been uſed in acquainting the Miniſter with the Offence taken at theſe things when firſt committed by him, and how far the Miniſter hath been guilty of giving offence, after he knew offence to be taken.

11. It would likewiſe in this caſe be enquired, whether any of the Complainers did firſt in a prudent privat way inform any of the neighbour Miniſters, of ſome of theſe things committed by their Miniſter, who is now challenged, before theſe offences came to be ſo many, as to merit a publick and ſolemn Trial, and accordingly the *Presbytry* is to judge.

12. If the *Presbytry* find upon Trial, the Complaint to reſolve on the Miniſters having committed ſuch Acts of Infirmity or Paſſion, as conſidering all the Circumſtances may be either amended and the people ſatisfied, and no ſuch offence taken, or at leaſt not to remain, ſo as to hinder the Miniſters profiting the people, and that the offence was taken by the Miniſters own people only or mainly; Then the *Presbytry* is to take all prudent Ways to ſatisfy and reclaim both Miniſter and people, and do away the offence.

13. But before a Miniſter depoſed for ſcandalous Carriage can be reſtored to the exerciſe of the Miniſtry, there would

would not only be convinceing Evidences of a deep Sorrow for Sin, but an Eminent and Examplary humble walk, and edifying Converſation, ſo apparent and convinceing as hath worne out and heal'd the wound the Scandal gave.

14. Immediatly on the Miniſters being *Depoſed* by the Presbytry, the Sentence is to be intimat in his Congregation, the Church declared Vacant, the planting thereof with another Miniſter haſtened, and never delayed on the expectation of his being Reponed, it being almoſt impoſſible, that ever he can prove uſeful in that Pariſh again.

CHAP. VIII.

Concerning Proceſſes in order to the Cenſure of the greater Excommunication.

SInce there is a diſtinction betwixt the greater and the leſſer Excommunication, it ſeems that whatever have been the cauſes of the firſt Proceſs, yet ordinarly all *Proceſſes* that are in order to the greater *Excommunication* are to be grounded on manifeſt contumacy, or obſtinat continuance in *Scandalous* practices; And where there is no manifeſt contumacy, or continuance as aforeſaid, the leſſer Excommunication needs only have place: Yet in ſome extraordinary caſes, the Church according to Scripture Warrand hath ſummarly Excommunicated perſons guilty of nottour attrocious Scandalous Sins, to ſhew the Churches abhorrence of ſuch Wickedneſs.

2. Even where there hath been a Scandal delated, and Contumacy following by not appearing, it would be conſidered, whether any Scandalous practice hath been proven, or not, if not proven, then only the ſimple Contumacy is to be proceeded againſt, for which it were hard to go a greater length than the leſſer Excommunication.

3. If the Scandal hath been proven, and the Cenſure of the leſſer Excommunication intimated as in Chapter third; It ſeems moſt reaſonable that there be no further proceeding, unleſs the Scandal be groſs, or of an hainous nature, or that it is ſpreading and infectious, as in Hereſies or Schiſm in the Church: In which caſes Contumacy is to be proceeded againſt in order to the greater Excommunication.

4. The Kirk-Seſſion having brought the Proceſs to an Intimation of the Cenſure of the leſſer *Excommunication*, before they inflict the ſame, they are to refer the Affair to the Presbytry, bringing their whole proceedings before the *Presbytry* in Write, that the *Presbytry* may thereby have a clear and full view of the whole Affair.

5. The Presbytry finding the Kirk-Session hath orderly proceeded, and that the lesser Excommunication is not sufficient, and that the Affair is so weighty as to oblige them to enter on the *Process*, they are to cause their Officiar to cite the Scandalous person.

6. If the party appear, then the *Presbytry* is to proceed in the enquiry at the accused, about the *Scandal* Alledged and Lybelled, and if he deny it, then they are to proceed and lead probation as in other cases.

7. But if the party appear not, but contemn the Citation, the Presbytry causeth renew the same, until he hath got three Citations, and after the three Citations, he is to be cited out of the *Pulpit*: And for the further conviction of all concerned, Intimation is to be made, that the Judicatory will proceed and enquire into the presumptions or probation of the guilt, and this is to be done although the *Delinquent* be absent.

8. Then the *Presbytry* is to order the Minister of the Congregation next Sabbath after Forenoons Sermon, to acquaint the Congregation what proceedings the Kirk-Session first, and thereafter the *Presbytry* had made in the Affair, and how contumacious the party was, and that the *Presbytry* intended to proceed to the highest censure; And the *Minister* is gravely to admonish the party (if present) to repent and submit himself to the Discipline of the Church, threatning him, if he continue impenitent, that the Church will proceed, yea though he be absent, the Minister is to acquaint the people, that the Church requires him to repent and submit as above said, under the forelaid certification.

9. There should be three publick Admonitions, and a *Presbytry* should interveen betwixt each Admonition; And if after all, that person continue impenitent or contumacious, the same is to be represented to the *Presbytry*, who are thereupon to appoint publick *Prayers* thrice to be made, in which the Minister is to exhort the Congregation seriously to join with him in *Prayer*, for the Scandalous impenitent or contumacious person, which he is solemnly to put up to God, humbly beging that he would deal with the Soul of the Impenitent, and convince him of the Evil of his wayes.

10. These publick *Prayers* of the Church are to be put up three several Sabbath Days, a *Presbytry* (where its Meetings are more frequent once a Moneth at least) interveening betwixt each publick *Prayer*, both to shew the Churches tenderness towards their lapsed Brother, their earnestness to have him reclaimed, and likewise to creat a greater regard and terrour of that dreadful Censure, both in the party and in all the people.

11. If

11. If after all, the ſcandalous perſon makes no Application, but continue impenitent; The *Presbytry* after *Prayer* is to paſs ſentence and appoint a Miniſter to intimat the ſame, and to ſhew the Presbytries reſolution to proceed upon ſuch a Sabbath as they ſhall name, for pronouncing that dreadful Sentence ſolemnly in face of the Congregation, unleſs either the Party or ſome for him, ſignify ſome relevant ground to ſtop their Procedure.

12. That day being come, it were fit the Miniſter did preach a Sermon ſuited to that ſolemn Occaſion, or at leſt after Sermon, the Miniſter ſhould ſhew the Congregation, what he is going about, introduceing the Narrative of the *Proceſs*, with a Diſcourſe concerning the Nature, Uſe and end of Church Cenſures, particularly that of the greater Excommunication, if he hath not done it fully in his Sermon.

13. Then narrating all the ſteps of the Proceſs in order, ſhewing the Churches Faithfulneſs and Tenderneſs towards the ſcandalous perſon, and declaring his obſtinat Impenitency; And that now after all other means were uſed, there remained only that of cutting off the Scandalous perſon from the Society of the Faithful, and intimating the Churches Warrand and Order to him ſo to do.

14. And before the Miniſter pronounce the Sentence, he is to pray and deſire all the Congregation to join with him therein, that God would grant Repentance to the obſtinat perſon, would graciouſly bleſs his own Ordinance, and make the Cenſure effectual, both to edify others, and to be a mean to reclaim the obſtinat Sinner.

15. Then after *Prayer*, the Miniſter is with great Gravity and Authority to pronounce the Cenſure, ſhewing his Warrand from our Lords Command, and the Apoſtle *Pauls* Direction, and recapitulating the *Presbytries* Warrand in Obedience thereunto, and reſuming the Scandalous and obſtinat perſons *Behaviour*, whom he is to name; He therefore in the Name and Authority of our Lord and Maſter Jeſus Chriſt doth *in verbis de præſenti* pronounce and declare him or her Excommnnicated and ſhut out from the Communion of the Faithful, debarring that perſon from their *Priviledges*, and in the Words of the Apoſtle, delivering that perſon over to Satan, which Sentence is to be intimat according to the 9th Act of the Aſſembly *anno* 1704.

16. If after *Prayer* or before the Cenſure be pronounced, the ſcandalous perſon do make any publick ſignification of his Repentance, and of his deſire to have the Cenſure ſtopt, the Miniſter upon apparent ſeriouſneſs in the ſcandalous perſon, which he ſheweth to the Congregation, may thereupon delay pronouncing the Sentence, till he report to the Presby-

Presbytry at their next Meeting, who are then to deal with the ſcandalous perſon as they ſhall find cauſe.

17. After the pronounciation of this Sentence, the people are to be warned that they hold that perſon to be caſt out of the Communion of the Church, and that they ſhun all unneceſſary Converſe with him or her, nevertheleſs Excommunication diſſolveth not the Bonds of Civil or Natural Relations, nor exempts from the Duties belonging to them.

18. Although it be the duty of *Paſtors* and *Ruling* Elders to uſe all Diligence and Vigilance, both by Doctrine and Diſcipline reſpectively, for preventing and purging out ſuch Errors, Hereſies, *Schiſm* and *Scandals* as tend to the Detriment and Diſturbance of the Church; Yet becauſe it may fall out through the *Pride* and Stubborneſs of Offenders, that theſe means alone will not be effectual to that purpoſe; It is therefore neceſſary after all this, to imploy the Aid of the civil Magiſtrat, who ought to uſe his coercive power for the ſuppreſſing of all ſuch Offences and vindicating the Diſcipline of the Church from Contempt.

CHAP. IX.

Concerning the order of proceeding to Abſolution.

IF after Excommunication, the ſigns of Repentance appear in the excommunicated perſon, ſuch as godly Sorrow, for having incurred Gods heavy Diſpleaſure by his ſin, occaſioned Greif to his *Brethren*, and juſtly provocked the Church to caſt him out of their Communion, together with a full purpoſe of heart to turn from his ſin unto God through Chriſt, and to reform his *Life* and Converſation, with an humble deſire of recovering Peace with God and his people, and to be reſtored to the favour of God and Light of His Countenance through the Blood of Jeſus Chriſt and to the Communion of the Church, and the Presbytry upon his Application be ſatisfied therewith, and judge that he ought to be abſolved, and thereupon give Warrand for his Abſolution; He is to be brought before the Congregation, and there alſo to make free Confeſſion of his Sin and Sorrow for it, to call upon God for Mercy in Chriſt, to ſeek to be reſtored to the Communion of the Church, promiſing to God through Grace new Obedience, and more holy and circumſpect walking as becomes the Goſpel, and that this Appearance before the Congregation, be as often as Church Judicatories ſhall find may be for Edification and Tryal of the profeſſing Penitents Sincerity, and being ſatisfied in this; Then the Miniſter and Congregation are to praiſe God, who delighteth not in the Death of a Sinner, but rather that he

ſhould

ſhould Repent and Live; As alſo for bleſſing the Ordinance of Excommunication, and making it effectual by his Spirit to the recovering of this Offender, to magnify the *Mercy* of God through Jeſus Chriſt, in pardoning and receiving to His Favour the moſt grievous Offenders whenſoever they unfeignedly repent and forſake their Sins; But before the *Miniſter* proceed to Abſolution, he is to pray with the Congregation to this effect. 'That the Lord Jeſus Chriſt *Propher*, 'Prieſt and King of His Church, who with the preaching of 'the Goſpel hath joined the power to bind and louſe the Sins 'of *Men*, who hath alſo declared that whatſoever by His *Mi*-'niſters is bound on Earth, ſhall be bound in Heaven, and 'alſo that whatſoever is louſed by the ſame, ſhall be louſed 'and abſolved in Heaven, would mercifully accept his Crea-'ture *N.* whom Satan of long time hath holden in bondage, 'ſo that he not only drew him to Iniquity, but alſo ſo hard-'ned his Heart, that he diſpiſed all Admonitions, for the 'which his Sin and Contempt, the Church was compelled 'to excommunicat him from the Society of the Faithful; But 'now ſeing the holy Spirit by his Grace hath ſo prevailed 'that he is returned and profeſſeth Repentance toward God 'and Faith toward our Lord Jeſus Chriſt, That it may pleaſe 'God by his Spirit and Grace to make him a ſincere and un-'feigned Penitent, and for the Obedience of our Lord Je-'ſus Chriſt unto Death, ſo to accept of this poor believing 'and returning Sinner, that his former Diſobedience be ne-'ver laid to his Charge, and that he may encreaſe in all God-'lyneſs, ſo that Satan in the end may be troden under feet by 'the power of our Lord Jeſus Chriſt, and God may be glo-'rified, the Church Edified, and the Penitent ſaved in the day 'of the *Lord*.

2. Then ſhall follow the Sentence of Abſolution in theſe or the like words: 'Whereas thou *N.* haſt for thy Sin been 'ſhut out from the Communion of the Faithful, and haſt now 'manifeſted thy Repentence wherein the Church reſteth ſatis-'fied, I in the name of the Lord Jeſus, before this Congregation 'pronounce and declare thee Abſolved from the *Sentence* of 'Excommunication formerly denounced againſt thee, and do 'receive thee to the Communion of the Church, and the free 'uſe of all the Ordinances of Chriſt, that thou mayeſt be par-'taker of all his Benefites to thy Eternal Salvation.

3. After this Sentence of Abſolution, the Miniſter ſpeak-eth to him as to a Brother, Exhorting him to Watch and Pray, and comforting him as there ſhall be cauſe: The El-ders imbrace, and the whole Congregation holdeth Commu-nion with him, as one of their own, and the Abſolution ſhould be intimate in all the Churches where the Excommu-nication was intimate.

XII.

Commiſſion to ſome Miniſters and Ruling Elders, for conſidering and diſcuſſing ſeveral Affairs referred to them.

At Edinburgh 19 *Aprile* 1707. *ante Meridiem.* Seſſ. 12.

THE General Aſſembly taking to conſideration, that there are ſeveral weighty Affairs which they cannot overtake; Do therefore Nominat and Appoint their Reverend Brethren, Maſters *William Crichton* Miniſter at Edinburgh, *John Law* there, *George Meldrum* Profeſſour of Divinity in the Colledge of Edinburgh, *George Hamilton* at Edinburgh, *John Hardie* at Gordon, *William Calderwood* at Ligerwood, *Thomas Sheilds* at Sanquhar, *Thomas Verner* at Balmaclellan, *Hugh Campbel* at Muirkirk, *Patrick Simpſon* at Renfrew, *Duncan Campbel* at Roſeneth, *Duncan Campbel* at Knapdale, *John Anderſon* Principal of the Leonardine Colledge of St. Andrews, *William Mitchel* at Dundee, *William Carſtares* Principal of the Colledge of Edinburgh, *David Blair* at Edinburgh, *John Monereif* there, *James Webſter* there, *William Wiſheart* at South-Leith, *James Hart* at Edinburgh, *Alexander Dalgleiſh* at Linlithgow, *George Barclay* at Uphall, *William Burnet* at Falkirk, *Robert Livingſton* at Biggar, *James Steuart* at Liberton, *Andrew Mitchel* at Manour, *Alexander Walker* at Kirkurd, *Patrick Cuming* at Ormiſtoun, *John Flint* at Leſwed, *John Williamſon* at Muſſelburgh, *John Bell* at Gladſmuir, *Robert Horſeburgh* at Salt Preſton, *John Carrie* at Haddington, *Robert Stark* at Stenton, *George Turnbul* at Tyningham. *John Lawder* at Eccles, *John Dawſon* at Langton, *James Ramſay* at Eymouth, *Alexander Lawder* at Mordington, *Walter Douglaſs* at Linton, *John Glen* at Stitchel, *James Douglaſs* at Stow, *Henry Home* at Chinglekirk, *James Boreland* at Bedrule, *James Noble* at Ecſoord, *William Mackghie* at Selkrig, *George Byers* at St. Boſwals, *James Armſtrong* at Cannabee, *Robert Bichet* at Midlebee, *George Mulligen* at Moffat, *William Aikman* at Routhwell, *James Elder* at Kier, *John Pollock* at Glencairn, *Robert Paton* at Drumfrees, *John Somervel* at Carlaverock, *Andrew Cameron* at Kircudbright, *William Boyd* at Dalry, *Robert Gordon* at Corſmichael, *Archbald Hadden* at Sorbie, *Robert Rouan* at Pennigham, *Robert Campbel* at Stevenkirk, *William Wilſon* at Inch, *John Laury* at Auchinleck, *Alexander Kennedy* at Straiton, *Henry Osburn* at Torbolton, *Mungo Lindſay* at Dalgean, *Hugh Thomſom* at Kilmaurs, *William Wright* at Kilmarnock, *Robert Miller* at Port-Glaſgow, *Andrew Turner* at Greennock,

Greennock, *Robert Wylie* at Hamilton, *John Hamilton* at Strevan, *Thomas Linning* at Lesmahago, *John Macklaran* at Carstares, *John Stirling* Principal of the Colledge of Glasgow, *James Brown* at Glasgow, *James Clark* there, *Andrew Tait* at Carmunnoch, *David Fleckfield* at Balfron, *John Dugald* at Newkilpatrick, *Daniel Macklauren* at Kilfinan, *James Boes* at Campbleton, *Alexander Campbel* at Inverary, *Neil Campbel* at Lochaber, *Daniel Mackauley* at Kilmuir in Trotterniſh, *Alexander Glass* at Kinclevan, *Alexander Chapman* at Monedie, *Samuel Nairn* at Errol, *John Tullideph* at Dumbarnie, *Thomes Black* at Perth, *Andrew Burgh* at Mathertie, *John Murray* at Trinitygask, *Hugh White* at Lerbert, *Robert Mackauley* at Stirling, *Hugh Walker* at Lecrop, *Michael Potter* Younger at Kippen, *Allan Logan* at Torieburn, *Alexander Scot* at Aberdour, *John Shaw* at Leſly, *John Wilſon* at Kircaldie, *William Brown* at Kilmenie, *Alexander Anderſon* at Faulkland, *William Dick* at Couper, *James Hadow* Principal of the New Colledge of St. Andrews, *John Anderſon* Junior at St. Andrews, *Patrick Tullideph* at Ferrie, *Patton Craig*, *Patrick Cowper* at Pittenweem, *John Thomſon* at Alyth, *Adam Davidſon* at Eſſie, *Samuel Johnſtoun* at Dundee, *Hugh Maxuel* at Tillin, *James Marr* at Murrayes, *William Arrot* at Montroſe, *James Robertſon* at Menmuir, *Alexander Archbald* at Barrie, *Andrew Brute* at Innerkeelor, *John Thomſon* at Marykirk, *David Ramſay* at Fettercairn, *Thomas Kinneir* at Echt, *John Howie* at Birſe, *James Robertſon* at Glenmuick, *Thomas Blackwell* at Aberdeen, *Alexander Mitchell* at Belhelvie, *John Angus* at Kinnellar, *William Leſly* at Chaple of Garioch, *William Mair* at Oyne, *David Anderſon* at Foveran, *Andrew Guthry* at Peterhead, *Peter Darline* at Boyndie, *John Turrine* at Drumblait, *Hugh Innes* at Mortlith, *John Gilchriſt* at Keith, *Alexander King* at Elgin, *Joſeph Sanderſon* at Alvis, *James Chapman* at Crombdale, *William Steuart* at Inverneſs, *James Gordon* at Kinloſs, *George Gordon* at Cromarty, *Hugh Monro* at Tain, *Archbald Bowie* at Dornoch, *William Innes* at Thurſo, *William Mackbeth* at Olrig, *John Pitcairn* at Firth, *Edward Irving* at Orphire in Orknay, *James Grierſon* at Tingwall and *Robert Gray* at Neſting in Zetland; Miniſters. *James* Earl of Seafield Lord High Chancellour of this Ancient Kingdom of *Scotland*, *John* Duke of Athol, *William* Marqueſs of Lothian, *John* Earl of Rotheſs, *George* Earl of Melvill, *John* Earl of Ruglen, *Patrick* Earl of Marchmount, *John* Earl of Hyndford, *David* Earl of Glaſgow, *Charles* Lord Yeſter, *William* Lord Strathnaver, *Patrick* Lord Polwarth, *James* Lord Carmichael, *William* Lord Forbeſs, *William* Lord Roſs, *Robert* Lord Burleigh, *John* Lord Belhaven, Sir *Hugh Dalrymple* of Northberwick Lord Preſident of the Seſſion, Sir *James Stewart*

of

of Goodtrees Her Majesties Advocat, *Adam Cockburn* of Ormiston Lord Justice Clerk, Sir *William Anstruther* of that Ilk, Sir *John Maxwell* of Pollock, Sir *Robert Stewart* of Tillicultry, Sir *Gilbert Eliot* of Minto, Sir *Alexander Ogilvy* of Forglen, Five of the Senators of the Colledge of Justice, Mr. *John Campbel* of Mamore Brother to the late Duke of Argyle, Mr. *Francis Montgomery* of Giffan Son to the deceast Earl of Eglington, Lieutennent Colonel *John Erskine* of Carnock Son to the deceast Lord Cardross, Sir *Samuel Macklellan* present Lord Provost of Edinburgh, Sir *Patrick Johnstoun* late Provost there, Sir *Walter Pringle* Advocat, Sir *Robert Cheisly* of Bonington, *Adam Brown* late Dean of Gild of Edinburgh, *Walter Stewart* of Pardovan, *William Baillie* of Lamington, Sir *John Clark* of Pennycook, Mr. *James Hamilton* of Pencaitland, Sir *William Baird* of Newbyth, Sir *James Hall* of Dunglass, Sir *John Stewart* of Allanbank, *George Baillie* of Jerviswood, Sir *John Pringle* of Stitchel, Mr. *John Murray* of Bowhill Advocat, *James Pringle* of Buckholm, Mr. *John Melvil* Baillie of Esdail, Sir *Hugh Cunninghame* of Craigend, Mr. *James Gellie* Advocat, Sir *Thomas Kilpatrick* of Closeburn, Lieutennent Colonel *William Maxwel* of Cardoness, *Patrick Murdoch* of Cumloden, Sir *James Agnew* of Lochnaw, Mr. *James Boswal* of Auchinleck Advocat, Mr. *Walter Stewart* Advocat, Sir *David Stewart* of Cultnels, Sir *Andrew Kennedy* of Cloburn, *Hugh Montgomery* of Busbie, *John Alexander* of Blackhouse, Sir *James Smaliet* of Bonill, *James Campbel* of Arkindless Younger, Sir *James Campbel* of Auchinbreck, *Laughlan Mackintoish* Tutor of Dalmunie, Sir *James Campbel* of Aberuchil, Mr. *Alexander Abercromby* of Tillibodie Advocat, Lieutennent Colonel *John Erskine* Deputy Governour of Stirling Castle, *George Moncrief* of Reedie, Mr. *Robert Ramsay* Provost of the Old Colledge of St. Andrews, *John Duncan* late Provost of Dundee, Mr. *Arthur Forbes* of Echt, *John Gordon* present Provost of Aberdeen, *Lodovick Grant* Elder of that Ilk, *Alexander Grant* younger of that Ilk, *James Brodie* of that Ilk, *Hugh Ross* of Kilravock, Mr. *William Brodie* Advocat, Sir *William Dunbar* of Hemprigs, and Sir *William Craigie* of Gairsay Ruling Elders; To be Commissioners of this General Assembly to the effect aftermentioned, with full power to the saids persons or their *Quorum*, which is hereby declared to be any twenty one of the saids Commissioners, whereof Fifteen are always to be Ministers, to meet and conveen within the Assembly House at *Edinburgh* the first day after the Dissolution of this Assembly at Ten Hours in the Forenoon; And afterwards the first *Wednesdays* of *August*, *November* and *March*, and ofner when and where they shall think needful and convenient, with power to the said Commission to chuse their own Moderator: And sicklick, the General Assembly fully Impowers and

and Authorises their saids Commissioners or their *Quorum*, to cognosce and finally determine, as they shall see cause in every matter referred, or that shall be referred to them, by any Act or order of this Assembly, except it be otherwayes restricted; And to do every thing contained in, and conform to the Instructions to be given to them by this Assembly, and to advert unto the interest of the Church on every occasion, that the Church and present Establishment thereof, do not suffer or sustain any prejudice, which they can prevent, as they will be answerable; And they are hereby strictly prohibited and discharged to medle in any other matters, than what are committed or referred to them as abovementioned; And in all their Actings they are to proceed according to the Acts and Constitutions of this Church, and do nothing contrary thereto, or to the prejudice of the same, Declaring that in and for all their Actings they shall be countable to, and censurable by the next General Assembly as they shall see cause, and this Commission is to continue and endure till the next General Assembly, and Members are required to attend the Dyets of the Commission, and the Absents ordered to be noticed, according to the 17 Act of the late Assembly.

XII.

Instructions to the Commission of the General Assembly.

At Edinburgh the 19th *Aprile* 1707. ante meridiem.
Sess. 12.

THAT the Commission as often, as they shall see cause, apply to the Government or any Magistrat, for their countenanceing of, and concurring with the Judicatories of the Church in what the Law allows, and for putting in Execution the Laws againſt Popery and Profanness and seeking redress of Greivances, and Abuses and Disorders committed contrary to the established Doctrine, Worship, Discipline and Presbyterian Government of this Church, the contempt of the Censures of the Judicatories thereof inflicted on scandalous persons, setling vacant Churches and regulating the poor by using Endeavours for providing Maintenance and Labour for them.

2. That when any of the Ministers who served under the late Prelacy, whose Lives and Doctrines may render them useful to this Church, shall apply for reception into a share of the Government thereof; The General Assembly do hereby Impower and Recommend to their Commission to receive them according to the 13th Paragraph of the 16th

Act of the General Assembly *anno* 1697, and that the foresaid Commission be careful to get due Information from the Presbytries, where the said person applying, did or does officiat and for the time resides.

3. That the said Commission use their outmost Diligence for getting payment of the Money gifted by the Queens Majesty for defraying the publick Charges of the Church, and in disposing thereof, they are to take care that the publick Debts of the Church be first payed, according to the Instructions given to the Commission of the General Assembly *anno* 1706 thereanent, which is hereby renewed, and that the Encouragement granted by the General Assembly *anno* 1699 to Ministers and Probationers, who go *North* or to the *Highlands* or *Islands* to preach be rendered effectual, and likewise that the said Commission cause defray the extraordinary charges and Expences that Presbytries and Ministers have been at, particularly in these places, in carrying on the Planting of Churches, and other publick Affairs of the Church there.

4. The foresaid Commission are hereby Impowered to cognosce and finally determine in all References already made, or to be made to them by this Assembly, and in References and Appeals for transporting Ministers to the *North*, the *Highlands* and *Islands* which shall be brought before them, according to the Overtures made thereanent *anno* 1699. And that Transportations to any Parishes in these places whether priviledged by former Acts of Assembly or not, be carried on, and that in the most expedit way, providing that the Commission do not medle with Sentences of Synods excepting Causes particularly referred to them.

5. The said Commission is to correspond with the State anent Fasts and Thanksgivings as occasion requires, and to specify the causes thereof.

6. The said Commission are impowered to give Advice and Assistance to any Synod or Presbytry in difficult cases, as they shall be applyed unto by them for that effect.

7. The said Commission are Impowered to give all due Encouragement and Assistance to any proposals may be made to them, about Endeavours for Reformation of Manners, and for the effectual curbing and suppressing of Profanneis and Vice.

8. The Commission are appointed to take special care to keep and maintain Unity in the Church, upon all Emergents, especially amongst the Ministers thereof, and to gain such as separate therefrom, and to suppres Errour and Schism in this Church, and prosecute the Authors and Spreaders of Books and Pamphlets tending thereto, as is by another Act recommended to Presbytries, and to take notice

tice how any who have been censured by proceeding Assemblies or Commissions thereof have carried, and to take off the saids Censures or proceed to further censure as the said Commission shall see cause; And further the General Assembly does hereby renew the first Paragraph of the 18th Act of the late General Assembly concerning Schism and *Disorders*, and appoints the same to stand as an Instruction to this Commission.

9. That the Commission endeavour to make effectual whatever hath been by this or preceeding Assemblies agreed upon, concerning the erecting of Schools in the *North*, the *Highlands* and *Islands*, and what else may tend to the Advancement of Religion and Reformation in these places; As also to give all due Assistance and Encouragement for propogating the Knowledge of God and our Lord Jesus Christ in these and foraign parts of the World.

10. That the Commission have a special Respect to the 9th Act of the General Assembly *anno* 1703, concerning the planting of vacant Churches in the *North*, the *Highlands* and *Islands*, and supplying thereof with Ministers and Probationers, and the Commission are hereby impowered to proceed according to the said Act, in so far as they shall find it needful.

11. Seing there is not a full Report made to this Assembly concerning the Libraries, *Irish* Bibles, *P*salm Books, and Catechisms, and about the State of the Church in the *Highlands* and *Islands*, and the remaining Idolatrous, pagan, and popish superstitious Customs in some places there: The General Assembly recommends to this Commission to prosecute the Instructions given thereanent by the Assembly *anno* 1706 to their Commission, and to use all Means in their power for extirpating these Idolatrous and Superstitious Practices, And to take care that the charges of any who have been imployed about the same be reimbursed out of the Money given by her Majesty for these ends.

12. The General Assembly hereby impowers their Commission to give all due Assistance to the several Universities and Colledges when any Minister is called to any Office therein, and to receive Appeals and References, and finally to determine in the same.

XIV. *Act*

XIV.

Act concerning planting of the Highlands *and maintaining* Burſers &c.

At Edinburgh *Aprile* 21 1707. Seſſ. Ult.

THE following Overtures were brought in from the Committee, to whom the conſideration of the State of the Church in the *North* and *Highlands*, was remitted *viz.* 1*mo.* That it be enquired how the 9th and 16 Acts of the General Aſſembly *anno* 1699, and the 9th Act of the General Aſſembly 1703 are obſerved. 2*do.* That Enquiry ſhould be made what Burſars there are having the *Iriſh* Language, and how the Acts made concerning them are obeyed, particularly the 13 and 14 Acts of the Aſſembly 1704, and 5th and 11th Acts of the General Aſſembly 1705. 3*tio.* That at each Aſſembly the Names of the *Iriſh* Burſars be called for, and an account thereof given in to the Clerk; As alſo what hope there is of their being uſeful in this Church. Which Overtures being conſidered by the General Aſſembly, they did and hereby do Approve thereof, and impowered their Commiſſion to put the ſame and the Acts thereinmentioned in Execution, and to take the ſame under conſideration at their firſt Meeting after the riſing of this Aſſembly.

XV.

Act againſt Innovations in the Worſhip of God.

At Edinburgh 21 *April* 1707. Seſſ. ult.

THE General Aſſembly of this Church taking to their ſerious conſideration, that the purity of Religion, and particularly of *D*ivine Worſhip and uniformity therein, is a ſignal Bleſſing to the Church of God, and that it hath been the great happineſs of this Church ever ſince Her Reformation from Popery, to have enjoyed and maintained the ſame in a great meaſure, and that any attempts made for the Introduction of Innovations in the Worſhip of God therein, have been of fatal and dangerous conſequence: Likeas, by the 5*th* Act of the Parliament *anno* 1690, and 23*d* Act of Parliament 1693 years, and the Act lately paſt for ſecurity of the preſent Church Eſtabliſhment, the foreſaid purity and uniformity of Worſhip, are expreſly provided for, and being well informed by Repreſentations ſent from ſeveral Presbytries

tries of this Church, that Innovations, particularly in the publick Worship of God, are of late set up in some places in publick Assemblies within their Respective Bounds, and that endeavours are used to promot the same, by persons of known disaffection to the present Establishment, both of Church and State; The Introduction whereof was not so much as once attempted, even during the late Prelacy; And considering also that such Innovations are dangerous to this Church, and manifestly contrary to our known Principle, (which is, that nothing is to be admitted in the Worship of God, but what is prescribed in the Holy Scriptures) to the constant practice of this Church, and against the good and laudable Laws made since the late happy Revolution, for Establishing and securing the samen, in her Doctrine, Worship, Discipline and Government, and that they tend to the fomenting of Schism and Division, to the disturbance of the Peace and quiet both of Church and State: Therefore the General Assembly being moved with Zeal for the Glory of God, and the purity and uniformity of his Worship, doth hereby discharge the practice of all such Innovations in *Divine* Worship within this Church, and does require and obtest all the Ministers of this Church, especially these in whose Bounds any such Innovations are or may happen to be, to represent to their *People* the evil thereof, and seriously to exhort them to beware of them, and to deal with all such as do practise the same, in order to their recovery and reformation, and do instruct and enjoine the Commission of this Assembly to use all proper means, by applying to the Government or otherwayes, for suppressing and removing all such Innovations, and preventing the evils and dangers that may ensue thereupon to this Church.

XVI.

Act concerning the Scriptural Songs.

At Edinburgh 21 *April* 1707. Sess. ult.

THE General Assembly upon Report of their Committee for Overtures, who were appointed to receive in the Report of these named, to put in order the Remarks of *Presbytries* upon the Version of the Scriptural Songs, finding that but very few *Presbytries* have sent in their Remarks upon these Songs, and that even these who have made any Remarks upon them, judge the said Version not yet fit for publick use; Do therefore recommend it to the several Presbytries to be careful yet to Revise the saids Songs, and transmit their Opi-

nion thereanent to the next Assembly, and in the mean time Appoints these who were nominated by the Commission of the late General Assembly to Revise these Songs at *Edinburgh*, yet to meet, and again Revise the same, and Report to the next General Assembly, and adds Mr. *John Mackbride* to that Committee.

XVII.

Act concerning the Revising the Overtures about the method of procedure in Ecclesiastick Judicatories.

At Edinburgh 21 *April* 1707. Sess. ult.

THE General Assembly considering that the large Overtures concerning the Discipline and method of procedure in Ecclesiastick Judicatories in the Church of *Scotland*, transmitted by the General Assembly *anno* 1705 to Presbytries, may be very useful to Ministers and Judicatories, and deserve yet to be farder considered by Presbytries; in order to compleat a method and form of procedure in Ecclesiastick Judicatories, do therefore recommend it to the several Presbytries to compare the said large Overtures with the Form of Process approven in this Assembly, and Report to the General Assembly from time to time their Judgement as to what is yet wanting and necessary to be added to both these Overtures, that the same may be supplyed, by adding to either of them, until this Church arive at a compleat System of Rules in their proceedings in matters of Discipline.

XVIII. TO

XVIII.

TO

The Queens moſt Excellent Majeſty,

The Humble Addreſs of the Miniſters and Elders of the General Aſſembly of the Church of Scotland.

At Edinburgh 21 *April* 1707. Seſſ. ult.

May it pleaſe Your Majeſty,

WHEN we conſider the many and great Advantages that we enjoy under your Majeſties happy Government, we look upon our ſelves as obliged in the Concluſion of this our Meeting, to renew theſe ſincere Acknowledgments of them, which we did with all humility lay before your Majeſty when we came firſt together. We cannot without the deepeſt Senſe of Gratitude call to mind the tender and affectionat care which your Majeſty hath expreſſed towards us in this Juncture, for in your Royal Goodneſs you have not only honoured us with a Repreſentative entirely and deſervedly acceptable to us, whoſe prudent and obliging Management upon this occaſion hath juſtly increaſed our Eſteem of him and confidence in him; But your Majeſty hath alſo been concerned to preſerve Chriſtian Unity and Harmony amongſt us, by manifeſting a pious care, not to ſtraiten us in any thing wherein your Majeſty did judge our Principles were concerned. We have ſuch grateful Impreſſions of this your Majeſties wiſe and tender Management, as will not only influence our ſelves to a firm and ſteady Loyalty, but put us upon uſing our outmoſt endeavours in our Stations to maintain and promote it amongſt all in whom we have an Intereſt, in which we crave Liberty to aſſure your Majeſty that we ſhall not be wanting, for we cannot but acknowledge that we are under the higheſt Obligations not only as Subjects but as Proteſtants, to be conſtant and fervent in our Addreſſes to the Soveraign God, that He would richly bleſs, long preſerve and proſper your Majeſty, whoſe Zeal for maintaining of our holy Religion, and reſtoring to their juſt Rights thoſe that have been unjuſtly oppreſſed for adhering to it, hath been in the courſe of your Glorious Reign manifeſted to the World, and which to our great joy hath ſignally appeared in your Majeſties moſt gracious Anſwer to the late Addreſs of our Brethren the diſtreſſed and perſecuted Proteſtants of *France*.

May the Great God in his Infinite Mercy make your Majesty an Illustrious Instrument not only to procure a firm Peace to *Europe*, but to restore the ruined *Zion* of our Redeemer in the Dominions of that haughty Monarch, who hath impiously gloried in his having razed it even to the Foundation thereof, that the Almighty may be always your Strength and Defence, that he may always compass your royal Person with his Favour as with a Shield, that He may long continue you to be a Guardian to the Protestant Churches and Liberties of *Europe*, a Blessing to your loving people, and possess your Majesty at last of Glory, Honour and Immortality; Is and shall be the fervent Prayer of.

May it please your Majesty,

Your Majesties most Faithful, most Obedient and most Humble Subjects,

The Ministers and Elders, met in this National Assembly of the Church of Scotland.

Signed in Our Presence, in Our Name, and at Our Appointment, By

Jo. Stirling Moderator.

XIX.

THE next General Assembly of this Church, is to be holden at *Edinburh* upon the third *Thursday* of *Aprile* 1708, being the 15 day of that Moneth.

This General Assembly was concluded with Prayer, singing the 133 *Psalm throughout and pronouncing the Blessing.*

Collected and Extracted from the Records of the General Assembly, by

JOHN DUNDAS Cls. Eccl.

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Reference to the Commission of the Process concerning the planting of *Leuchars*. *Ibid.*

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Reference to the Commission in favours of *Mr. Charles Primrose* Minister at *Bellie* to do what they can to ease him of the Grievances that he labours under, and to render his Work in that place as comfortable as can be. *Ibid.*

A Letter appointed to be written to *Mr. Alexander Forbes* Minister at *Dyke* in *Murray*, concerning his continuance in that place. *Ibid.*

Reference to the Commission concerning the collecting of an account of the Sufferings of the late times for Religion. *Ibid.*

Recommendation in favours of *John Binning*, Son to *Mr. Hugh Binning* for Charity. *Ibid.*

Report anent *John Blairs* Accompts of the Money gifted for defraying the Charges of the Libraries and Irish Bibles with a Reference to the Commission about the same. *April* 21. *Sess. ultima.*

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Reference to the Commission, to use their Endeavours for getting a Fund to rebuild the Kirk of *Dornoch*. *Ibid.*

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A List of the Probationers for the Ministry, and Students of Theology brought in, Read, and ordered to be Recorded. *Ibid.*

Reference to the Commission of an Appeal concerning the planting of *Colacie*. *Ibid.*

Reference to the Commission concerning the Libraries, and for making Rules for preserving Manuscrips. *April* 21. *Sess. ult.*

Reference to the Commission concerning Mr. *John Livingston's* Notes on the Holy Scriptures. *Ibid.*

Reference to the Commission concerning the planting of the Highland Parishes in the Presbytry of *Dumblane*. *Ibid.*

Reference to the Commission of a Process against Mr. *John Hepburn* Deposed for Irregularities. *Ibid.*

Reference to the Commission concerning the two Sessions in the Parish of *Brichan*. *Ibid.*

Recommendation to Presbytries concerning their being timeously furnished with the Printed Acts of Assembly. *Ibid.*

An Address to the Queen unanimously approven and signed. *April* 21. *Ibid.*

Reference to the Commission concerning Intruders on the Church of *Frasersburgh*. *Ibid.*

Recommendation to the Synod of *Lothian* and *Tweeddale* in favours of Mr. *John Dalrymple* for Charitable Supply. *Ibid.*

Intimation to these who subscribed for Mr. *John Spaldings* Book on the Sacrament of the Lords-Supper, to call for the same, and pay the price. *Ibid.*

Intimation anent bringing in the Contributions for *Duncan Cassie*, *John Binning*, and Mr. *Walter Ross's* Children, the Bridge of *Dee*, and Harbour of *Irvine*, according to former Recommendations. *Ibid.*

Committee for Revising the Minuts of this Assembly, and giving orders about Printing the Acts thereof. *Ibid.*

The Moderators Speech at the closing of the General Assembly, to the Members, and to His Grace the Queens Commissioner.

His Grace Her Majesties Commissioner, His Speech to the General Assembly, after they had gone through their Work.

FINIS.